

REMARKS

1. The Examiner has objected to the abstract of the disclosure.

The Examiner's point is well taken. The corrected version of the abstract of the disclosure that lacks the title of the invention is presented in the amendment to the specification paragraph of the present response to the Office Action.

2. The Examiner has rejected claims 1-3, 5-15, and 17-23 based on a nonstatutory double patenting ground. This rejection is based on the judicially created doctrine of obviousness-type double patenting.

More specifically, the Examiner has indicated that claims 1-3, 5-15, and 17-23 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of U. S. Patent No. 6,677,938.

The Examiner has further indicated that a timely filed terminal disclaimer in compliance with 37 C. F. R. 1.321 (c) or 1.321(d) may be used to overcome an actual rejection based on a nonstatutory double patenting ground provided the conflicting patent is shown to be commonly owned with this application.

The terminal disclaimer in compliance with 37 C. F. R. 1.321(c) is submitted herewith. The terminal disclaimer also certifies that the conflicting U. S. Patent No. 6,677,938 is commonly owned with the present application by TRIMBLE NAVIGATION LTD.

It is believed that the Examiner's rejection has been overcome and claims 1-3, 5-15, and 17-23 are allowable.

3. The Examiner has indicated that the claims 4, 16, and 24 are allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

It is believed that upon filing the terminal disclaimer claims 1-3, 5-15, and 17-23 are allowable. That is why claims 4, 16, and 24 are kept in their original form. Thus, it is believed that claims 4, 16, and 24 are allowable in their original form as filed.

4. Claims 1-24 are presently pending in the application and are believed to be in condition of allowance. Reconsideration of the rejections is respectfully solicited.

Respectfully submitted,

February 20, 2007



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